
From: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Sent: Thursday, December 3, 2020 2:56 PM
To: Joachim, Jordan S
Cc: 'Claudia Wilner'; 'Darius Charney'; 'Chinyere Ezie'; 'Britney Wilson'
Subject: RE: BLRR v. COB - deposition notices

[EXTERNAL]

Sorry, I'm unexpectedly handling an Article 78 with a deadline tomorrow and am still waiting on a few potential witnesses, so my best guess is Monday, but I'll try for sooner. I'm fine with discussing with the Court on the 14th if you think that would be helpful.

From: Joachim, Jordan S [mailto:jjoachim@cov.com]
Sent: Thursday, December 03, 2020 2:45 PM
To: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: 'Claudia Wilner' <wilner@nclcj.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclcj.org>
Subject: RE: BLRR v. COB - deposition notices

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Rob,

I am following up about the requests below, as you said you would get back to us by yesterday (after initially saying you would get back to us by last Wednesday). Please respond as soon as possible because if we are not able to reach a resolution on these issues, we plan to take them up with the Court at the December 14 conference.

Jordan

From: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Sent: Tuesday, December 1, 2020 9:13 AM
To: Joachim, Jordan S <jjoachim@cov.com>
Cc: 'Claudia Wilner' <wilner@nclcj.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclcj.org>
Subject: RE: BLRR v. COB - deposition notices

[EXTERNAL]

I'm still checking into a few of the proposed witnesses. Will respond by tomorrow.

From: Quinn,Robert E
Sent: Wednesday, November 25, 2020 11:04 PM
To: 'Joachim, Jordan S' <jjoachim@cov.com>
Cc: 'Claudia Wilner' <wilner@nclcj.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclcj.org>
Subject: RE: BLRR v. COB - deposition notices

Received, I'll respond on Monday. Have a good Thanksgiving.

From: Joachim, Jordan S [<mailto:joachim@cov.com>]
Sent: Tuesday, November 24, 2020 6:01 PM
To: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: 'Claudia Wilner' <wilner@nklej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nklej.org>
Subject: RE: BLRR v. COB - deposition notices

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Rob,

Thank you for speaking with us on Friday. As agreed on the call, please send us a list of witnesses you will agree to produce for deposition from the list we sent you on October 28 and walked through during the call. If you are not able to send your list by tomorrow (Wednesday) as discussed, please let us know as soon as possible when we can expect it.

In addition to the individuals we discussed on the call, we are noticing two additional depositions: (1) Robert V. Rosenswie III, and (2) Joseph Hassett. We expect that Mr. Rosenswie will have unique knowledge concerning the IAD files produced to us, the process for handling IAD complaints, and the circumstances resulting in the alleged destruction of the missing IAD files, among other subjects. We understand that Mr. Hassett is a former member of the Housing Unit, and according to our data, he has issued more tinted windows tickets than any other BPD officer and the third most total tickets of any BPD officer during the relevant period. Please let us know if you will include Messrs. Rosenswie and Hassett in the list of witnesses you will produce.

Finally, we are attaching an amended Rule 30(b)(6) deposition notice, which adds a new topic #28. As discussed on Friday, to reduce the burden on the parties and witnesses, we are amenable to combining questioning on the Rule 30(b)(6) topics with individual depositions as appropriate provided that you specify sufficiently in advance which topics each witness will testify about. For example, if you choose to designate Helfer or Morgera as the Rule 30(b)(6) witness with respect to topic 23 (concerning the BTVA's plea bargaining policies), please let us know and we could question the witness on this topic during the course of their individual deposition. We remind you, however, that you have an obligation to "make a conscientious good-faith endeavor to designate the persons having knowledge of the matters sought by the party noticing the deposition and to prepare those persons in order that they can answer fully, completely, unequivocally, the questions posed as to the relevant subject matters." *Tailored Lighting, Inc. v. Osram Sylvania Prod., Inc.*, 255 F.R.D. 340, 349 (W.D.N.Y. 2009) (cleaned up). This obligation "goes beyond matters personally known to that designee or to matters in which that designee was personally involved." *Id.*

In order to facilitate the 30(b)(6) deposition and coordinate with the individual depositions, please let us know as soon as possible who you will be designating for each of the 30(b)(6) topics.

Jordan

From: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>
Sent: Monday, November 16, 2020 5:36 PM
To: Joachim, Jordan S <joachim@cov.com>
Cc: 'Claudia Wilner' <wilner@nklej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nklej.org>
Subject: RE: BLRR v. COB - deposition notices

[EXTERNAL]

Ok, thanks.

From: Joachim, Jordan S [<mailto:jjoachim@cov.com>]
Sent: Monday, November 16, 2020 5:36 PM
To: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: 'Claudia Wilner' <wilner@nclej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclej.org>
Subject: RE: BLRR v. COB - deposition notices

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We are available at 4pm on Friday. We can use this dial in: **1-866-798-7071,,1695081#**

I'll also send a calendar invite.

From: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>
Sent: Monday, November 16, 2020 1:19 PM
To: Joachim, Jordan S <jjoachim@cov.com>
Cc: 'Claudia Wilner' <wilner@nclej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclej.org>
Subject: RE: BLRR v. COB - deposition notices

[EXTERNAL]

Friday afternoon is pretty much the only option this week.

From: Joachim, Jordan S [<mailto:jjoachim@cov.com>]
Sent: Monday, November 16, 2020 1:18 PM
To: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: 'Claudia Wilner' <wilner@nclej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclej.org>
Subject: RE: BLRR v. COB - deposition notices

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Rob,

We'd like to schedule another call to discuss depositions. Please let us know when you are available this week.

Thanks,
Jordan

From: Joachim, Jordan S
Sent: Friday, November 13, 2020 11:16 AM
To: 'Quinn, Robert E' <rquinn@ch.ci.buffalo.ny.us>
Cc: 'Claudia Wilner' <wilner@nclej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclej.org>
Subject: RE: BLRR v. COB - deposition notices

No, our preference would be to negotiate a schedule that works for all parties.

From: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>
Sent: Thursday, November 12, 2020 5:36 PM
To: Joachim, Jordan S <jjoachim@cov.com>
Cc: 'Claudia Wilner' <wilner@nclej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclej.org>
Subject: RE: BLRR v. COB - deposition notices

[EXTERNAL]

I did, thanks for checking though. Are these dates something you're planning on actually keeping? It's going to be very difficult if not impossible for me to do any of these in November.

From: Joachim, Jordan S [<mailto:jjoachim@cov.com>]
Sent: Thursday, November 12, 2020 5:15 PM
To: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: 'Claudia Wilner' <wilner@nclej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclej.org>
Subject: RE: BLRR v. COB - deposition notices

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Rob,

Did you receive the below message? I am resending the notices unzipped in case that caused an issue.

Jordan

From: Joachim, Jordan S
Sent: Wednesday, November 11, 2020 5:08 PM
To: 'Quinn, Robert E' <rquinn@ch.ci.buffalo.ny.us>
Cc: 'Claudia Wilner' <wilner@nclej.org>; 'Darius Charney' <dcharney@ccrjustice.org>; 'Chinyere Ezie' <cezie@ccrjustice.org>; 'Britney Wilson' <wilson@nclej.org>
Subject: BLRR v. COB - deposition notices

Rob,

Please see attached deposition notices for the individuals named in Plaintiffs' preliminary deponent list.

Plaintiffs are noticing these depositions in order to reserve their rights, particularly in light of the impending discovery schedule deadline. We expect that the parties will continue to negotiate a plan and schedule for depositions.

Please confirm receipt.

Thanks,
Jordan

Jordan Joachim

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